

**STATE OF ILLINOIS – DEPARTMENT OF LABOR  
160 N. LASALLE ST., STE. C-1300  
CHICAGO, ILLINOIS 60601**

Stanley Simrayh, as a Member of the	)	IDOL File No.: 2024-H-RP08-2346
International Union of Operating	)	
Engineers, Local 150, AFL-CIO, and the	)	
International Union of Operating	)	
Engineers, Local 150, AFL-CIO,	)	
	)	
OBJECTORS,	)	
v.	)	
	)	
Jane R. Flanagan, Director of the	)	
Illinois Department of Labor, and	)	
The Illinois Department of Labor,	)	
	)	
RESPONDENTS.	)	

ORDER

IDOL File No.: 2024-H-RP08-2346 coming to be heard under the Prevailing Wage Act, 820 ILCS 130/0.01 – 12 (“the Act” or “PWA”), and in accordance with the procedures stated in the Department of Labor’s Rules at 56 Ill Admin Code 120.100, *et seq.*, the Notice of Hearing issued and an objection to the Illinois Department of Labor’s prevailing wage determination and request for hearing under Sections 4 and 9 of the Prevailing Wage Act, 820 ILCS 130/01 *et seq.*, and the parties’ submission of a Consent Decree, and due notice having been given, I issue this Order:

It Is Ordered:

1. Upon review of the Consent Decree – attached hereto and made a part of this Order – and the terms and conditions entered into between the parties, the Consent Decree is accepted and resolves the dispute between the parties.
2. The parties waive any further procedural steps before me.
3. IDOL File No.: 2024-H-RP08-2346 is closed/dismissed before me.
4. The hearing date of September 21, 2023 is stricken.

DATE: September 15, 2023

*Raymond C. Cyrus*  
Raymond C. Cyrus  
Administrative Law Judge  
Illinois Department of Labor  
160 N. LaSalle St., Ste. C-1300  
Chicago, IL 60601  
312-793-1805  
DOL.Hearings@illinois.gov

STATE OF ILLINOIS        )  
  ) ss:  
COUNTY OF COOK        )

CERTIFICATE OF SERVICE

Under penalties as provided by law, including pursuant to Section 1-109 of the Code of Civil Procedure, I, Blanca Rodriguez, a non-attorney, affirm, certify or on oath state, that I served notice of the attached Order upon all parties to this case, or their agents appointed to receive service of process, by enclosing a copy of the Order and Attachments in Case No. 2024-H-RP08-2346 and a copy of the Certificate of Service in an email addressed to each party or party's agent at the respective address shown on the Order or on the Certificate of Service, having caused each to be served by email on September 15, 2023, prior to 4:30 p.m.

Stanley Simrayh, as a member of the International Union of Operating Engineers, Local 150, AFL-CIO, and the International Union of Operating Engineers, Local 150, AFL-CIO  
c/o Michael James McNally, Counsel for the Foundation  
Indiana, Illinois, and Iowa Foundation for Fair Contracting  
6170 Joliet Road, Suite 200  
Countryside, Illinois 60525  
mmcally@iiffc.org

Stanley Simrayh, as a member of the International Union of Operating Engineers, Local 150, AFL-CIO, and the International Union of Operating Engineers, Local 150, AFL-CIO  
c/o Kara M. Principe, Counsel for the Foundation  
Indiana, Illinois and Iowa Foundation for Fair Contracting  
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**HAND DELIVERED:**

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Associate General Counsel

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Jane R. Flanagan

Director of Labor

Illinois Department of Labor

160 N. LaSalle St., Ste. C-1300

Chicago, IL 60601

STATE OF ILLINOIS - DEPARTMENT OF LABOR  
160 N. LASALLE STREET., STE. C-1300  
CHICAGO, IL 60601

IN THE MATTER OF: )  
)  
STANELY SIMRAYH, as a member of the )  
INTERNATIONAL UNION OF OPERATING )  
ENGINEERS, LOCAL 150, AFL-CIO, and the )  
INTERNATIONAL UNION OF OPERATING )  
ENGINEERS, LOCAL 150, AFL-CIO, )  
)  
Objectors, )  
v. )  
)  
JANE FLANAGAN, DIRECTOR OF )  
THE ILLINOIS DEPARTMENT OF LABOR, and )  
THE ILLINOIS DEPARTMENT OF LABOR. )  
)  
Respondents. )

State File No.: 2024-H-RP08-2346

**CONSENT DECREE**

Objectors, Stanley Simrayh, a member of the International Union of Operating Engineers, Local 150, AFL-CIO and the International Union of Operating Engineers, Local 150, AFL-CIO (“Local 150”), and Respondents Jane R. Flanagan, Director of the Illinois Department of Labor and the Illinois Department of Labor (“Department”) resolve the above-captioned matter pursuant to 56 Ill. Admin. Code 120.540 as follows:

1. This matter arises under the Illinois Prevailing Wage Act (“IPWA”), as amended, 820 ILCS 130/0/01, *et seq.*
2. Pursuant to Sections 4 and 9 of the IPWA, Petitioners timely filed written objections to the prevailing wage rates effective July 13, 2023 pertaining to the Mechanic-Welder description in Operating Engineer Class 1 on Heavy/Highway projects and in Operating Engineer Class 1 on Building projects in the counties of Rock Island, Mercer, the west half of Henry, and the portion of Whiteside that includes all territory in the west portion of Whiteside County from the fifth (5<sup>th</sup>) sectional line east of Morrison, Illinois, running directly north and south and sought to establish a new rate and class.
3. Pursuant to Sections 4 and 9 of the IPWA, the Department scheduled a hearing on Petitioner’s objections, issued a Notice of Hearing to Petitioners, and provided notice of the hearing to the public by posting the date, time, location, and other pertinent information regarding the Section 9 hearing on Petitioner’s objections on IDOL’s official website.

4. It is determined that in the counties of Rock Island, Mercer, the west half of Henry, and the portion of Whiteside that includes all territory in the west portion of Whiteside County from the fifth (5<sup>th</sup>) sectional line east of Morrison, Illinois, running directly north and south, the prevailing wage classifications and rate determinations published (posted) by the Department shall include a new classification for Mechanic-Welder. The Department shall recognize:
  - a. Class 10 Mechanic-Welder on Operating Engineer Building type trade work at a wage rate of \$40.50 with no changes to fringe benefit rates, consistent with the Industrial, Commercial, Residential and Building Construction Agreement Between International Union of Operating Engineers, Local No. 150 and Quad City Builders Association (“QCBA Collective Bargaining Agreement”);
  - b. Class 10 Mechanic-Welder on Operating Engineer Heavy/Highway type trade work at a wage rate of \$40.50 with no changes to fringe benefit rates, consistent with the Heavy and Highway Agreement Between International Union of Operating Engineers, Local No. 150 and Associated Contractors of the Quad Cities (“ACQC Collective Bargaining Agreement”).
5. It is determined that Mechanic-Welder will be removed from Class 1 on Operating Engineer Building type trade work and from Class 1 on Operating Engineer Heavy/Highway type trade work and replaced with the aforementioned classes and wage rates, consistent with the QCBA Collective Bargaining Agreement, and the ACQC Collective Bargaining Agreement, respectively.
6. The prevailing wage and fringe benefit rates applicable to Class 10 Mechanic-Welder on Operating Engineer Heavy/Highway work shall be those rates as set forth in the QCBA Collective Bargaining Agreement. Rates for the counties of Rock Island, Mercer, the west half of Henry, and the portion of Whiteside that includes all territory in the west portion of Whiteside County from the fifth (5<sup>th</sup>) sectional line east of Morrison, Illinois, running directly north and south, as of July 13, 2023, are the following:
  - Base Wage: \$40.50
  - Overtime M-F, Sat: 1.5x base rate
  - Overtime Sunday: 2x base rate
  - Overtime Holiday: 2x base rate
  - Foreman: \$42.50
  - Health & Welfare: \$20.40
  - Pension: \$13.60
  - Vacation: \$2.00
  - Training: \$2.05
7. The prevailing wage and fringe benefit rates applicable to Class 10 Mechanic-Welder on Operating Engineer Heavy/Highway work shall be those rates as set forth in the QCBA Collective Bargaining Agreement. Rates for the counties of Rock Island, Mercer, the west half of Henry, and the portion of Whiteside that includes all territory in the west portion of

Whiteside County from the fifth (5<sup>th</sup>) sectional line east of Morrison, Illinois, running directly north and south, as of July 13, 2023, are the following:

Base Wage: \$40.50  
Overtime M-F, Sat: 1.5x base rate  
Overtime Sunday: 2x base rate  
Overtime Holiday: 2x base rate  
Foreman: \$42.50  
Health & Welfare: \$20.40  
Pension: \$13.60  
Vacation: \$2.00  
Training: \$2.05

8. The rate determinations shall apply effective upon publication, but no later than October 15, 2023, through the next subsequent rate determination by the Department. Subsequent rate determination periods shall be subject to Section 4(a) and Section 9 rate ascertainment and determinations.
9. The Decision and Order disposing of this proceeding shall have the same force and effect as an Order made after a full hearing.
10. The parties waive:
  - a. Further procedural steps before the Administrative Law Judge; and
  - b. Any right to challenge or contest the validity of this Consent Decree or the Decision and Order entered in accordance herewith.

Dated this 13<sup>th</sup> day of SEPTEMBER, 2023.

  
\_\_\_\_\_  
Illinois Department of Labor

  
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International Union of Operating Engineers, Local 150